

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

*In re Dealer Management Systems Antitrust
Litigation, MDL 2817*

This document relates to:

ALL ACTIONS

No. 1:18-CV-864

Hon. Robert M. Dow, Jr.

Magistrate Judge Jeffrey T. Gilbert

**NOTICE REGARDING PARTIAL RESOLUTION OF
PARTIES' PRIVILEGE LOG MOTIONS**

CDK Global, LLC ("CDK") hereby submits this notice regarding the following privilege log motions: (i) CDK's Motion to Compel Production of Documents Withheld or Redacted by Plaintiffs Loop, LLC d/b/a/ AutoLoop and Cox Automotive, Inc. or, in the Alternative, for an In Camera Inspection of the Challenged Documents (Dkt. 543); and (ii) Dealership Plaintiffs' Motion Challenging CDK Global, LLC's March 8, 2019 Clawbacks and to Compel Production of Inadequately Logged Documents from CDK Global, LLC's FTC Privilege Log (Dkt. 633).

1. On March 30, 2020, the Court issued certain rulings on the above-referenced privilege log motion filed by the Dealership Class Plaintiffs. Dkt. 937. In its ruling, the Court preliminarily addressed certain documents on both CDK's and other parties' privilege logs that did not identify (i) the author or recipient(s) of the document and/or (ii) the attorney(s) involved in providing the legal advice reflected in the document. Dkt. 937 at 9. The Court encouraged the parties to attempt to find an agreed resolution to their dispute consistent with its guidance. *Id.*

2. CDK reports that the relevant parties have agreed to withdraw challenges to documents on CDK's, AutoLoop's, and Cox Automotive's privilege logs that do not identify the author or recipient(s) and/or the attorneys involved. This resolves the challenges raised in Section IV

of the Dealership Class Plaintiffs' privilege log motion (Dkt. 635 at 12-13) and Sections I and IV of CDK's privilege log motion as to Cox Automotive and AutoLoop (Dkt. 544 at 5-16, 14-15).

3. The remainder of CDK's privilege log motion (Dkt. 544 at 6-13 (Sections II and III)) is unresolved and requires resolution by the Court.

Dated: June 11, 2020

Respectfully submitted,

/s/ Britt M. Miller

Britt M. Miller

Matthew D. Provance

MAYER BROWN LLP

71 South Wacker Drive

Chicago, IL 60606

(312) 782-0600

bmill@mayerbrown.com

mprovance@mayerbrown.com

Mark W. Ryan

MAYER BROWN LLP

1999 K Street NW

Washington, DC 20006

(202) 263-3000

mryan@mayerbrown.com

Counsel for Defendant CDK Global, LLC

CERTIFICATE OF SERVICE

I, Britt M. Miller, an attorney, hereby certify that on June 11, 2020, I caused a true and correct copy of the foregoing **NOTICE REGARDING PARTIAL RESOLUTION OF PARTIES' PRIVILEGE LOG MOTIONS** to be filed and served electronically via the court's CM/ECF system. Notice of this filing will be sent by e-mail to all parties by operation of the court's electronic filing system or by mail to anyone unable to accept electronic filing as indicated on the Notice of Electronic Filing. Parties may access this filing through the court's CM/ECF System.

/s/ Britt M. Miller

Britt M. Miller

MAYER BROWN LLP

71 South Wacker Drive

Chicago, IL 60606

Phone: (312) 782-0600

Fax: (312) 701-7711

E-mail: bmiller@mayerbrown.com